



Attorney Docket No.: 68,127-022

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Chester T. Przygoda, Jr.
SERIAL NO.: 10/766,203
FILED: January 28, 2004
EXAMINER: Thomas J. Mullen
GROUP NO.: 2632
FOR: EVENT DRIVEN INFORMATION SYSTEM

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The owner, USM Systems, Ltd., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term **prior patent** Nos. 6,717,517 and 6,373,389 as the term of said prior patents is defined in 35 U.S.C. 154 and 173, and as the term of said prior patents is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patents** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim any terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the **prior patents**, "as the term of said **prior patents** is presently shortened by any terminal disclaimer," in the event that said **prior patents** later: expire for failure to pay a maintenance fee; is held unenforceable; is found

invalid by a court of competent jurisdiction; is statutorily disclaimer in whole or terminally disclaimed under 37 CFR 1.321; has all claims canceled by a reexamination certificate; is reissued; or is in any manner terminated prior to the expiration of its fully statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Enclosed herewith is a check in the amount of \$130.00 to cover the Terminal Disclaimer fee as set forth in 37 CFR 1.20(d). However, the Commissioner is authorized to charge any additional fees or credit any overpayments to our deposit account no. 08-2789 in the name of Howard & Howard Attorneys, P.C.

Respectfully submitted,

HOWARD & HOWARD ATTORNEYS, P.C.



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